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10/088293#4

PATENT
ATTORNEY DOCKET NO. 045636-5055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pascale SERROR *et al.*)
Application No.: 10/088,293) Group Art Unit: unassigned
I.A. Filing Date: September 15, 2000) Examiner: unassigned
Date of National Stage Entry: September 17, 1999)
For: METHOD FOR GENETIC MODIFICATION OF)
LACTOBACILLUS DELBRUECKII)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Elizabeth C. Weimar
Elizabeth C. Weimar
Reg. No. 44,478

Dated: October 15, 2002
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
(202) 739-3000

INFORMATION DISCLOSURE STATEMENT				Attorney Docket No. 045636-5055	Application No. 10/088,293		
(Use several sheets if necessary)				Applicants: Pascale SERROR et al.			
PTO Form 1449				IA Filing Date: Sept. 15, 2000	Priority Date: Sept. 17, 1999		
U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	Translation Yes No
		WO 93/18164	Sep. 16, 1993	WIPO			
		0603416	June 29, 1994	EPO			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		International Search Report for International Application No. PCT/FR00/02565 mailed April 23, 2001.					
		Tailliez et al., 1994, Gene (Amsterdam), 145(1): 75-79.					
		Walker et al., 1994, Journal of Bacteriology, 176(17): 5330-5340.					
Examiner:			Date Considered:				
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							